

City of Hayward
Notice of Measure to be Voted Upon at the
November 3, 2020 General Municipal Election and Deadline for Filing Ballot Arguments

NOTICE IS HEREBY GIVEN that a General Municipal Election will be held in the City of Hayward on Tuesday, November 3, 2020, to be consolidated with the Presidential Election. The City Council proposes on its own motion, Resolution No. 20-125, for the purpose of submitting the following Transient Occupancy Tax Increase Ballot Measure___, as introduced by Council Member Mendall, to the voters of the City of Hayward:

BALLOT QUESTION

To support City of Hayward services, including: repairing streets and sidewalks; 911 emergency and firefighter response times; disaster preparedness; extended library hours and after-school programs; and other general City services with revenue that cannot be taken by the State; shall the City of Hayward increase the transient occupancy tax paid only by hotel and motel guests from 8.5% to no more than 14%, providing an estimated \$3,000,000 annually, until repealed by voters, all funds benefiting Hayward?

SYNOPSIS OF THE MEASURE

ORDINANCE OF THE CITY OF HAYWARD, CALIFORNIA AMENDING SECTION 8-4.20 OF THE HAYWARD MUNICIPAL CODE RELATING TO TRANSIENT OCCUPANCY TAX

Section 1. Section 8-4.20 of the Hayward Municipal Code is hereby amended to read as follows:

SEC. 8-4.20 - TAX IMPOSED.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ~~eight and one half percent (8½%)~~ up to fourteen percent (14%) of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the Tax and License Administrator may require that such tax shall be paid directly to the Tax and License Administrator.

The complete text of the measure is available on the City's website at <https://www.hayward-ca.gov/your-government/elections> . To receive a free copy, please contact (510) 583-4400 or email cityclerk@hayward-ca.gov.

NOTICE IS FURTHER GIVEN by the City Clerk, pursuant to the provisions of Sections 9285 and 9286 of the Elections Code of the State of California, that the following deadlines are hereby established as the final dates on which arguments and rebuttal arguments for and against the measure appearing on the ballot for the General Municipal Election to be held on November 3, 2020, may be submitted to the City Clerk for printing and distribution to the voters as required by law:

Deadline for Filing Primary Arguments: 12:00 P.M., Tuesday, August 11, 2020

Deadline for Filing Rebuttal Arguments: 12:00 P.M., Friday, August 21, 2020

Primary Arguments, not to exceed 300 words in length, and Rebuttal Arguments, not to exceed 250 words in length, are to be submitted to the City Clerk, 777 B Street, Hayward, on or before the deadlines. Submitted arguments are kept confidential until after the filing deadline. Arguments cannot be changed after the deadline.

NOTICE IS FURTHER GIVEN that there shall be set a ten-calendar day examination period for public review of said Arguments. During this time, any registered voter of the election jurisdiction, or the elections official, may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The review period for Arguments is as follows: Primary Arguments review commences August 11, 2020 and ends August 21, 2020; Rebuttal Arguments review commences August 21, 2020 and ends August 31, 2020. The review period for the Impartial Analysis commences on August 11, 2020 and ends August 21, 2020.

Information regarding the election and measures is available on the City's website at <https://www.hayward-ca.gov/your-government/elections>. For additional information call (510) 583-4400 or email cityclerk@hayward-ca.gov

On Election Day, November 3, 2020, the polls will be open from 7 AM through 8 PM.

Dated: July 31, 2020
Miriam Lens, City Clerk
City of Hayward